

CLARK COUNTY SCHOOL DISTRICT  
OFFICE OF THE GENERAL COUNSEL  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

LEX TECNICA LTD, a Nevada limited-  
liability company,

Plaintiff,

vs.

CLARK COUNTY SCHOOL DISTRICT,  
Defendant.

Case No.: 2:24-cv-01656-GMN-BNW

**STIPULATION AND [PROPOSED]**  
**ORDER TO EXTEND DISCOVERY**  
**DEADLINES**

**(FIRST REQUEST)**

At Defendant Clark County School District's ("CCSD") request, the Parties, through their undersigned counsel, hereby stipulate and request that the discovery deadlines in this matter be continued for a short period of thirty (30) days, from the Court's prior Order (ECF No. 20) to facilitate transparency and potential settlement discussion. This Stipulation is supported by good cause, is the Parties' first request, and not for the purpose of delay.

**I. DISCOVERY COMPLETED TO DATE**

- a. On December 6, 2024, Defendant served its initial disclosures.
- b. On December 6, 2024, Plaintiff served its initial disclosures.

**II. DISCOVERY THAT REMAINS TO BE COMPLETED**

- a. Additional disclosures in the form of declarations and affidavits

1 The parties stipulate that no further written discovery will occur.

2 **III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN**  
3 **COMPLETED**

4 The Parties seek to extend the deadlines by thirty (30) days, starting with the discovery  
5 cut-off date forward. Neither party intends to extend the deadlines to amend pleadings add  
6 parties, initial expert disclosures, or rebuttal expert disclosures. Plaintiff counsel is in the process  
7 of preparing and finalizing declarations and affidavits attesting to reasonable rates in the market.<sup>1</sup>  
8 Upon receipt and review of those declarations and affidavits, Defense counsel will require  
9 additional time to counter said submissions or likewise prepare and collect declarations and  
10 affidavits from other special education law practitioners in the market.<sup>2</sup>

11 On February 5, 2025, Defense counsel inquired about the status of discovery and  
12 proposed for a stipulation to extend the discovery plan and scheduling order out of an abundance  
13 of caution in advance of the deadline to request an extension or modification of the discovery  
14 plan and scheduling order. The Defense counsel's proposal kept in mind that each of the Parties  
15 also had dispositive motions pending adjudication, which is why Defense counsel filed their  
16 Motion to Stay (ECF No. 25).. Initially the parties were unable to come to an agreement.  
17 Ultimately, the Parties agreed to continue discovery in good faith, on the condition that Defense  
18 counsel withdraw the Motion to Stay, while being mindful of the additional time need to gather  
19 and prepare declarations and affidavits from special education law practitioners in establishing a  
20 reasonable rate. Defense counsel herewith withdraws the Motion to Stay (ECF No. 25) to  
21 preserve judicial economy and advance justice.

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26 <sup>1</sup> “The burden is on the fee applicant ‘to produce satisfactory evidence’ of the prevailing market rates.”  
27 *T.B. v. San Diego Unified Sch. Dist.*, 293 F. Supp. 3d 1177, 1188 (S.D. Cal. 2018) (citing *Sam K. ex rel. Diane C.*  
*v. Hawaii Dep't of Educ.*, 788 F.3d 1033, 1041 (9th Cir. 2015)).

28 <sup>2</sup> “The party opposing the fee application has a burden of rebuttal that requires submission of evidence to  
the district court challenging the accuracy and reasonableness of the hours charged or the facts asserted by the  
prevailing party in its submitted affidavits.” *Gates v. Deukmejian*, 987 F.2d 1392, 1397-98 (9th Cir. 1992).

#### IV. PROPOSED EXTENDED DEADLINES

The Parties respectfully request that this Court enter an Order granting this First Request for extension of discovery deadlines as follows:

	Current	Proposed
Discovery Cut-Off	March 12, 2025	April 11, 2025
Deadline to amend pleadings and add parties	December 12, 2024	CLOSED
Deadline for initial expert disclosures	January 13, 2025	CLOSED
Deadline for rebuttal expert disclosures	February 10, 2025	CLOSED
Deadline to file dispositive motions	April 11, 2025	May 12, 2025
Pre-Trial Order	May 12, 2025	June 11, 2025

Dated this \_\_\_\_ day of February, 2025.

LEX TECNICA LTD.

By: /s/ Scott Whitworth  
 Scott Whitworth, Esq.  
 Nevada Bar No. 15671  
 10161 Park Run Drive  
 Suite 150  
 Las Vegas, Nevada 89145  
*Attorney~~s~~ for Plaintiff*

Dated this \_\_\_\_ day of February, 2025.

CLARK COUNTY SCHOOL DISTRICT  
 OFFICE OF THE GENERAL COUNSEL

By: /s/ Geraldine Largo  
 Geraldine Largo, Esq.  
 Nevada Bar No. 15023  
 5100 West Sahara Avenue  
 Las Vegas, Nevada 89146  
*Attorney for Defendant*

**ORDER**

Based upon the foregoing Stipulation of the Parties, and for good cause appearing therefore, IT IS HEREBY ORDERED as follows:

	<b>Current</b>	<b>Proposed</b>
Discovery Cut-Off	March 12, 2025	April 11, 2025
Deadline to amend pleadings and add parties	December 12, 2024	CLOSED
Deadline for initial expert disclosures	January 13, 2025	CLOSED
Deadline for rebuttal expert disclosures	February 10, 2025	CLOSED
Deadline to file dispositive motions	April 11, 2025	May 12, 2025
Pre-Trial Order	May 12, 2025	June 11, 2025

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

**DATED:** February 20, 2025